CANADIAN MUSLIM PUBLIC AFFAIRS COUNCIL

CMPAC Statement on The Supreme Court of Canada's Ruling on Bill 21

CMPAC is deeply disappointed by the Supreme Court of Canada's decision upholding the constitutionality of Bill 21 ‘An Act respecting the laicity of the State’, and leaving in force the prohibition on religious symbols for certain public-sector employees. Bill 21 prohibits specified public employees in positions of authority from wearing religious symbols while on duty. This includes teachers and school principals, police officers, correctional officers, Crown prosecutors, and judicial officers. The prohibition applies to religious dress and symbols including the hijab, kippah, turban and crucifix. We are concerned about the law's continuing effects on religious minorities, and on Muslim women in particular.

State neutrality is properly understood as a duty on the state, not a restriction on the personal conscience or religious expression of the individual employee. A qualified teacher, prosecutor, or officer who is excluded from employment because of religious dress is denied equal access to public service on the basis of faith. Furthermore, a public service that excludes religious minorities from positions of authority may be less representative of, and less trusted by, the communities it serves.

The newly elected Quebec government bears a moral responsibility to all people in Quebec to ensure that they are treated equally. We call on the Government of Quebec to repeal Bill 21, to decline to renew its use of the notwithstanding clause, and to ensure that every Quebecer is treated equally, regardless of faith. Until repeal, we urge the government to guarantee that no person will lose their employment because of their religious dress.

The Court's decision does not relieve the federal government of its responsibility to uphold equality and religious freedom for people in Canada. We call on the Prime Minister and the Government of Canada to publicly denounce Bill 21 and the use of the ’notwithstanding clause' in restricting minority rights, to raise the matter directly with the Government of Quebec, and to ensure that federal institutions remain open to people of all faiths.

We call on all elected officials including MPs, provincial and territorial legislators of every party and municipal leaders to publicly denounce Bill 21, to oppose the use of the ‘notwithstanding clause’ in overriding the rights of minorities and to meet directly with the communities affected.

CMPAC remains committed to advocating for the repeal of Bill 21 and supporting affected individuals and communities.